

SCHEDULES

SCHEDULE 1

Sections 37, 70.

MULTIPLEX REVENUE: SUPPLEMENTARY PROVISIONS

PART I

MULTIPLEX REVENUE FOR PURPOSES OF PART I OF THIS ACT

Computation of multiplex revenue

- 1 (1) It shall be the duty of the Commission to draw up, and from time to time review, a statement setting out the principles to be followed in ascertaining—
- (a) the multiplex revenue in relation to a licence holder for the purposes of section 14 for any accounting period, and
 - (b) the share of multiplex revenue attributable to a person in relation to any multiplex service for the purposes of any provision of Part I of this Act—
 - (i) for any accounting period of the holder of the multiplex licence, or
 - (ii) for any year.
- (2) A statement under this paragraph may set out different principles for persons holding different kinds of licences.
- (3) Before drawing up or revising a statement under this paragraph the Commission shall consult the Secretary of State and the Treasury.
- (4) The Commission shall—
- (a) publish the statement drawn up under this paragraph and every revision of that statement; and
 - (b) transmit a copy of that statement, and every revision of it, to the Secretary of State;
- and the Secretary of State shall lay copies of the statement and of every such revision before each House of Parliament.

Disputes

- 2 (1) For the purposes of any provision of Part I of this Act—
- (a) the amount of the multiplex revenue in relation to any holder of a multiplex licence for any accounting period of his, or (as the case may be) for any year, or
 - (b) the amount of any payment to be made to the Commission by any person in respect of any such revenue, or of an instalment of any such payment,
- shall, in the event of a disagreement between the Commission and that person, be the amount determined by the Commission.

Status: This is the original version (as it was originally enacted).

- (2) For the purposes of any provision of Part I of this Act the share of multiplex revenue attributable to any person in relation to a multiplex service for any accounting period or (as the case may be) for any year shall, in the event of a disagreement between the Commission and that person, be the amount determined by the Commission.
- (3) No determination of the Commission under this paragraph shall be called in question in any court of law, or be the subject of any arbitration; but nothing in this subparagraph shall prevent the bringing of proceedings for judicial review.

PART II

MULTIPLEX REVENUE FOR PURPOSES OF PART II OF THIS ACT

Computation of multiplex revenue

- 3 (1) It shall be the duty of the Authority to draw up, and from time to time review, a statement setting out the principles to be followed in ascertaining—
 - (a) the multiplex revenue in relation to a licence holder for the purposes of section 56 for any accounting period, and
 - (b) the share of multiplex revenue attributable to a person in relation to any national radio multiplex service for the purposes of any provision of Part II of this Act—
 - (i) for any accounting period of the holder of the national radio multiplex licence, or
 - (ii) for any year.
- (2) A statement under this paragraph may set out different principles for persons holding different kinds of licences.
- (3) Before drawing up or revising a statement under this paragraph the Authority shall consult the Secretary of State and the Treasury.
- (4) The Authority shall—
 - (a) publish the statement drawn up under this paragraph and every revision of that statement; and
 - (b) transmit a copy of that statement, and every revision of it, to the Secretary of State;
 and the Secretary of State shall lay copies of the statement and of every such revision before each House of Parliament.

Disputes

- 4 (1) For the purposes of any provision of Part II of this Act—
 - (a) the amount of the multiplex revenue in relation to any holder of a national radio multiplex licence for any accounting period of his, or (as the case may be) for any year, or
 - (b) the amount of any payment to be made to the Authority by any person in respect of any such revenue, or of an instalment of any such payment,
 shall, in the event of a disagreement between the Authority and that person, be the amount determined by the Authority.

- (2) For the purposes of any provision of Part II of this Act the share of multiplex revenue attributable to any person in relation to any national radio multiplex service for any accounting period or (as the case may be) for any year shall, in the event of a disagreement between the Authority and that person, be the amount determined by the Authority.
- (3) No determination of the Authority under this paragraph shall be called in question in any court of law, or be the subject of any arbitration; but nothing in this sub-paragraph shall prevent the bringing of proceedings for judicial review.